

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Mr. JAMON N. HESTAND §

VS. § CIVIL ACTION NO. 6:20-cr-00071

TDCJ-CID, ET.AL. §

MOTION FOR RECONSIDERATION WITH
OBJECTIONS AND GROUNDS

First of all, I object to any Defendants in this Suit and/or any Claims in this Suit being dismissed whatsoever and I respectfully ask the Court to Reconsider any dismissal of such or any Recommendation of dismissal of such by reviewing the following Grounds/Facts in De novo:

#1) From the beginning of this Suit with "Docket #1" all the way up to "Docket #15", I never actually got to see any of the details of any of those "Dockets" whatsoever (1-14)--- then again from "Docket #17" up to "Docket #46" I never saw any of the details of each "Docket" (17-45) whatsoever! I was told many times by Attorney T.J. Solomon and Her Staff at various times throughout this Suit that they were mailing me these items but I never actually received them at all!--- Throughout the time period from February 13th, 2018 up til now; Prison Officials & Staff have tampered with a bunch of my mail a whole bunch of times and that includes but is not limited to Legal Mail between me and Attorney Solomon and for the record, I filed a bunch of complaints about this very issue at hand throughout my Grievance File of which both me and Her have copies to prove it with but regardless of who is at fault of such ignorance, my Petition/Access To Courts/and Due Process Rights are in danger which has me in danger personally on several levels simultaneously such as physically/mentally/emotionally/Spiritually and it also has my Right to Justice in danger with me not even knowing what is really going on in my own Lawsuit! It's literally insane! That's all why I kept writing the Court for updates but the updates I received from the Court had no details ~>

either of each: document/motion/affidavit/brief/etc. within each "Docket # " listed; so ultimately, I have been practically clueless of what's really going on in or with my own Suit!

Please Keep this statement of Facts in mind as I continue on into other " #s " of Facts/Grounds in support of my Objections and Motion For Reconsideration...

#2) I am mentally ill, disabled, and still injured in continuous physical pain from a variety of injuries that have not been examined properly or treated properly by the Medical Department of the TDCJ-CID this entire time from February 13th, 2018 up til now & ongoing! I get no therapy for my mental illness at all while being trapped in Solitary Confinement in what's supposed to be either the: "Mental Health Therapeutic Diversion Program" and/or "Chronically Mentally Ill-Sheltered Housing" where TDCJ-CID receives funding for these bogus Programs from the Government to supposedly take better care of Incarcerated Persons with Mental Health Issues like myself but not only do the Prison Officials & Staff involved in these Programs not give us Incarcerated Persons with Mental Illness what they falsely claim to be giving us or doing for us but they are not at all qualified to deal with Mentally Ill Incarcerated Persons who have been tortured/abused/etc. and they respond to altercations with Mentally Ill Incarcerated Persons with deliberate ignorance & violence on a very regular basis like they did to me with excessive/illegal force viciously on: February 13th, 2018/December 9th, 2019/March 9th, 2020/April 5th, 2020/April 7th, 2020/etc. when I was subjected to: Felony Assault & Battery with Serious Bodily Injury multiple times by an array of Prison Officials & Staff that are listed on the list of Defendants in the Courts possession and throughout my Grievance File which actually is supposed to have more Defendants!

I am literally traumatized with continuous pain/paranoia/rage/depression/Flashbacks/hatred/sorrow/ringing peirring sound in my ears/negative thoughts/a terrible environment of torture/fear/etc... I want Justice for me & others! I want the suffering at the hands of Corrupted Human Beings to stop immediately!

#3) My "Cause of Action" for this Suit is supposed to be a combination of: 42 U.S.C. §§ 12101-12213 Americans with Disabilities Act "ADA" & 42 U.S.C. § 1983; simultaneously! I explained this a whole 2

bunch of times and really thought the ADA was put into the "Cause of Action" in the Admended Complaint but it doesn't seem to have been done at all like it should have from the very start of this Suit... I want & need the "Cause of Action" to be both Forementioned Causes of Action in this paragraph because not only have my Constitutional Rights been violated under Section 1483 but so has my Major Life Activities under the ADA and I am Disabled with: Mental Illness/Continuous Pain Throughout My Body/Ringing Peircing Sound In Both My Ears/Lower & Upper Back Injuries Unsolved/Injured Ribs On Lower Right Side Adversely Affects My Breathing/Broken Right Nostril Adversely Affects My Breathing/Bad Eyesight Without Glasses or Contacts/Head aches From Head Injuries Dont stop/Right Shoulder Area With Unsolved Injury/Right Arm Unsolved Injury/Right Forearm Unsolved Injury/Right Hand Injury Unsolved/Right Knee Injury/Right Foot & Ankle Unsolved Injury/Left Testicle Injury/Left Hand Middle Finger Injury Unsolved/Both Hands Thumbs Injury Unsolved/Neck Injured Unsolved/Toe Injuries etc. that all adversely affect a wide range of Major Life Activities and I don't believe I will ever be back in good shape physically even with proper examinations & treatment by real Medical Personnel because I've been permanently disabled...

#4) Attorney Tanika J. Solomon who has represented me thru this has represented me Pro Bono as I try to gather resources also with Her help (which hasn't turned out good yet) is an Attorney with basically a solo practice who in between Her other work, has had to do the work of not only an Attorney (which She is) but also the work of a Paralegal at the same time while wrestling with other Legal Work or Cases while trying to work on my Suit which is supposed to be alot bigger than what seems to be now from reading "Document 46" but let me speak on that in a seperate Fact/Ground # because of its severity in its own right...

I strongly believe that Attorney Tanika J. Solomon is a very good person who has been seriously overwhelmed by a totality of conditions such as: Trying to help Incarcerated Persons with Freedom & Justice/COVID-19 (and all it entails)/Financial Struggles/Racial Injustice issues/Loved One sick with COVID-19/Political Issues/Attempted Break In Into a Car on Her place of Business/and so much more... Please Keep this in mind as I continue on... ~>

mailed On: 10-8-2021 (with proper postage paid) Filed Page # 4 of 16

#5) My Suit is actually supposed to be a Massive Totality of Conditions Challenge but not where little issues add up to be big issues. It's supposed to be a bunch of already individually big issues that add up to be a Monstrosity of Massive Human & Civil Rights Violations committed by Prison Officials & Staff along with the Office of the Inspector General against me & others which is documented throughout my horde of Grievances that Mrs. Solomon mentions many times to the Court that in themselves are the actual detailed "Facts" that are the entirety of my Complaint which my Attorney could send to the Court electronically if the Court is interested and/or will accept them as the "Facts" of my Complaint as a whole and as factual evidence to support my initial Objection & Request/Motion for Reconsideration but She will have to be notified and I'm putting literally everything else to the side to do this Motion with Objections...

This Suit is supposed to include a pile of Injunctions and every Defendant from "TDCJ-CTD" on down is supposed to be being Sued in their Official & Individual Capacity for Injunctions and Monetary Damages simultaneously so obviously there will have to be another Amendment to this Complaint which also needs more Key Defendants added including the "Office of the Inspector General" who has been denying me my Victims' Rights on purpose for these multiple Felony Crimes committed against me by Prison Officials & Staff such as but not limited to: Conspiracy Against My Rights/Obstruction Of Justice/Deprivation of Rights Under Color of Law/False Statements/Perjury/Deadly Conduct/Obstruction of Mail/Abuse of Office/Official Oppression/Terroristic Threats/Assault and Battery with serious Bodily Injury/Torture/Malicious Mischief/etc. --- but there's definitely more that Need to be added who are very important to this Suit such as but not limited to:

RN-Robert Gage/Practice Manager-Pam Pace/MHC-Alison Travis/
MHC-Phyllis M. Henderson/VP-Litig-B-Owen Murray/LVN-Abiodun Alade/
LVN-Tammy Tarrant/RN-Ogheneru Kerwe EKayoma/LVN-
Marcy Mayhugh/LVN-Cheryl Lang/NC-Rick Stancil/NSO-Katherine
Werner/NC-Michelle Northcutt/LVN-Michelle Calhoun/LVN-Jeffrey
Shearman/MD-Paul Shrader/LVN-Lari Fortner/Provider-Temitope
Adams/UGI-Halei J. Klawinsky/Warden-Tracy Hutto/CGO-R. Lerma/
UGI-Alicia M. McElyea/CGO-Tammy Shelby/Warden-Jeffery S.
Richardson/CGO-D. Williams/Unknown CGO-I2448/UGI-T. Jock/2

UGI-Viveca M. Matlack / UGI-Steve Massie "Asst. Regional Director" /
Lt.-William T. Mullins / Major-Nicole Sandifer / CO-Dawanda K.
Lacy / Captain or Major-Nicholas C. Martin / Lt.-Terry L. Lane /
Sgt.-Olawale E. Osibajo / CO-Jombo K. Oji / MD-Michael Laposata /
PA-Eduardo Orihuela / MD-B. Gorman / FNP-Bradley D. Vessel / MD-
Huda A. AL Jodiry / et al. that I don't know yet because I am
being refused a copy of my entire medical file from February 13th,
2018 up til now and I am also not allowed access to my own Use Of
Force File either, so if I don't already know who they are, or come
up with some other way to figure it out, I won't know until Disco-
very Phase because these Prison Officials are not going to cooperate
with me without Legal Force from the Federal Court and it seems the
same with the Office of the Inspector General when it comes to my
Victims Rights being fulfilled...

#6) My "Injunctions" in short are but are not limited to:

- (*TRO ~ Protection from all Defendants...)
- (*Preliminary Injunction ~ Transfer close to Hospital Galveston / Release from Solitary Confinement / Single Housing / etc. --- to Permanent Injunction)
- (*Stop Obstructing my mail, etc. ~ Preliminary & Permanent Injunctions)
- (*Stop / Abolish Solitary Confinement Systemwide ~ Preliminary and Permanent Injunctions)
- (*Independent Oversight Over Grievance System / Make Grievance Investigators fully accountable for their actions so they cannot Obstruct Justice / Make TDCJ-CID reinvestigate all my Claims with the OIG under Court Supervision and grant my requested actions appropriately / etc.) Preliminary & Permanent Injunctions)
- (*Install "Offender Telephone System" in all locations including all forms of Solitary Confinement Systemwide / etc. ~ Preliminary & Permanent Injunctions)
- (*Shut Down 12 Building of Michael Unit immediately due to terrible Conditions (especially for Mentally Ill Incarcerated Persons) such as: No Exhaust Vents on each Section of each Pod of 12 Building to pull out bad air like smoke, chemical agents, etc. / Unsanitary Food & Drinks at every single meal / Dirty Environment beyond belief / Infestation of Mice, Roaches, Spiders, etc. in & out of cells / Dust in Ventilation System & Mold in cell walls / Rain Outside Comes in cells all around 12 Building including my current cell / Mentally Ill Incarcerated Persons Being Tortured every day non-stop with no qualified support / →

- etc. "also regular violence against Mentally Ill Incarcerated Persons" ~
Permanent & Preliminary Injunctions ~ "also to fix all the problems")
* To Stop Illegal/Excessive Uses Of Force // Make Use Of Force Files
Completely Accessable To The Public and/or all Human & Civil Rights
Organizations, Legal Professionals, Politicians, Media Personnel; etc. ~
Preliminary & Permanent Injunctions)
* Put a bunch of Missing Items back in all Law Libraries Systemwide
such as: Offender Grievance Operations Manual, Food Services
Policy & Procedure Manual and current Main menu // SM-05.03 "Use
& Management of Chemical Agents / Any Data Regarding Retention
of Security Cameras Data & Use / Code Federal Regulations/
Federal Rules of Decisions "FRD" etc. ~ Preliminary & Permanent
Injunctions (also "Incident Command System For Corrections Operations Manual")
* To Increase Retention of Security Cameras Data up to 2 years
at least for any possible Litigation purposes ~ Preliminary & Perma-
nent Injunction)
* Shut Down Units and/or Buildings that are understaffed on a
regular basis, etc. immediately ~ Preliminary & Permanent Inju-
nction)
* Force TDCJ-CID & Medical Department to give me full medical
examination with full body MRIs & Cat Scan appropriately under
Court Supervision with Court Analysis of Facts in detail //
Make Medical Department Stop retaliating on me and give me
proper medical care continuously, etc. ~ Preliminary & Permanent
Injunctions)
* Have Professionals Test the Contaminated Water Supply on
Michael Unit / Shut Michael Unit Down immediately / Fix
Contaminated Water Supply, etc. ~ Preliminary & Permanent
Injunctions)
* Force TDCJ-CID to test Prisoners for COVID-19 Properly according
to Federal Standards / Stop Denying Prisoners COVID-19 test when they
report multiple symptoms other than just high temperature, etc. ~ Preliminary
& Permanent Injunctions "including to stop denying Prisoners Vaccine for
COVID-19 without their express refusal that must be signed by the Prisoner
themselves for proof they really refused themselves."
* Make The Medical Department stop retaliating against me and give
me my medical passes renewed for my Cane / Knee Support / No
Cuffs Behind Back // Give me legitimate Physical & Mental Therapy /
Give me way better Pain Medication therapy / Steroid treatment for
Damaged Tendons, Ligaments, Muscle Tissue, etc. ~ Permanent & Preliminary Injunctions)
2

- and so on and so forth which are all documented/exhausted throughout my stack of Grievances which my Attorney can share with the Court at any given time electronically of course...

#7) Because of my desire to sue all Defendants in their Official & Individual Capacity (like should've already been done but obviously my Attorney was overwhelmed by the incredible hugeness & complexity of my Suit as it should be if She had the help She truly needs and deserves to overcome such insane adversity of massive oppression--- especially since She's kind enough to work Pro Bono on Her own Free Will in the name of Justice); they are all legitimate Defendants...

#8) There are "Facts" in Document #46 that need to be Fixed to where they are more like my actual Grievances & Sworn Affidavits but they are clearly part of my main Complaints and should be taken very seriously even though they need to be corrected...

#9) Federal Law Supercedes State Law under the "Supremacy Clause" in Article VI of the US Constitution...

#10) In the Federal Rules of Civil Procedure; in Rule 4(e)(A)(B)(C) & Rule 4(h)(1)(A)&(B) it proves that TDCJ-CID, Jamadre Enge, and Barbara Neal were all served properly under Federal Law--- Specifically, Summons & Complaint did make it directly into their usual place of abode and was received by someone of suitable age discretion who resides there (Macie B. Wier at the Michael Unit of the Texas Department of Criminal Justice-CID) who is specifically a Clerk who obviously has the authorization to open, receive, and even sign for Legal Mail or any mail for that matter which is directly under control of Federal Law and so this individual is definitely an Agent authorized by appointment and is most assuredly an Agent of TDCJ-CID and so according to Federal Law, these Defendants were properly served...

Also, if "Macie B. Wier" did not deliver the Summons & Complaints to their Defendants properly, then She is directly Conspiring Against My Rights To Obstruct Justice because She is a Clerk of the TDCJ-CID very clearly and should know that it is an actual Crime to Obstruct Mail as a person authorized to handle mail like She did.

So it should be investigated exactly what she did with the Summons & Complaints because obviously it came into the hands of an even higher Authority because the "updates" I received from the Court itself shows that: TDCJ-CID/Jamadre L. Enge/Barbra A. Neal; are in fact represented by none other than: "Attorney Courtney Brooke Corbello" who is a representative of the Attorney General's Office of Texas which also proves that this Attorney Corbello is fully aware of the "Summons & Complaints" and so is another great example of how those Defendants are served properly under Federal Law...

#11) There is a ton of very serious evidence in my favor throughout my Complaints such as: Video Evidence/Documentary Evidence/Medical Records/Office of the Inspector General Records/Grievance File/etc. that actually prove the truth of my Complaints and I am willing to take a Polygraph Test about my Complaints if necessary...

#12) I can understand "Iqbal, 556 US 662" and other Cases mentioned in Document #46 that can adversely affect Supervisor Liability or to be more precise, that limit a Plaintiff's right to sue a Supervisor but my Complaints go far beyond such limitations and "Iqbal" is not very clear upon this subject and there that prove otherwise such as: "Monell Claim" with Case 436 US 659 / Pembaur v. Cincinnati, 475 US 469 / Saucier v. Katz, 533 US 194 / Harlow v. Fitzgerald, 457 US 800 / Prison Legal News v. Lehman, 397 F3d 692 / Taylor v. Riojas, 141 S.Ct. 52 / Valdes v. Crosby, 450 F3d 1231 / Hardy v. District of Columbia, 601 F.Supp.2d 182 / Pectross v. City of Memphis, 818 F3d 233 / Haywood v. Hathaway, 842 F3d 1026 / Starr v. Baca, 652 F3d 1202 / etc.

Throughout those Cases that "Prove otherwise", we see an array of facts that Supervisors are Liable when they: Knew or should have known that they were acting illegally or unconstitutionally/directly participate in the violation or violations/Learned of the violation of my rights and fail to do anything to fix the situation/Have a Policy or Custom allowing or encouraging the illegal acts or unconstitutional acts/Failed to adequately train or supervise their subordinates/etc...

The restrictions that limit a Plaintiff's right to sue a Supervisor are really there to filter out frivolous claims of Supervisor Liability which does not apply to any of my Claims although I see it will be 2

more difficult to prove it when it comes to: TDCJ-CID / TBCJ - Dale Wainwright / TBCJ - Patrick O'Daniel / TDCJ-CID Executive Director Brian Collier / TDCJ-CID Executive Director Bobby Lumpkin / TDCJ-CID Director Lorie Davis / etc. who are or were at the Top of all Supervisors but there is literally outrageous and extremely disturbing Facts that reveal a long term massive conspiracy against the Petition / Access To Courts / Due Process / Victims Rights of all Incarcerated Persons Systemwide especially in regards to the absolutely Corrupted Grievance System in the TDCJ-CID that's so far out of control that there is no way at all whatsoever that these forementioned Top Supervisors could not be completely & utterly aware of the situation which just my own stack of Grievances proves but with Discovery of alot more facts that show this most incredible Obstruction of Justice that has been ongoing since the beginning of the Grievance System in the TDCJ-CID which can be proven by examining the Grievance Systems' effectiveness at Large or by analyzing prior Federal Lawsuits by Incarcerated Persons in Texas since we all have to "Exhaust All Remedies" using the Grievance System by Force because of the "PLRA" ²⁰⁰

But all that proving Supervisor Liability is really about overcoming "Qualified Immunity" and being able to get money damages since they did violate my Constitutional Rights (and still are violating them) and the Rights I'm talking about are clearly established and they are most definitely personally responsible for the violations of my rights ²⁰⁰

But regardless of the personal involvement requirement for the monetary damages along with the elements to overcome Qualified Immunity; I intended and still intend to sue them with Injunctions and also under the Americans with Disabilities Act also with monetary damages & Injunctions too... So they are all legitimate Defendants no matter what!

#13) I am extremely disappointed by the contents of "Document # 46" aside from what is obviously a chance being offered to fix these many problems that I have been completely unaware of this most incredible lack of effort in this Suit in my behalf --- I'm deeply hurt and have put everything else I'm doing to the side to write this Motion for Reconsideration with Objections and Grounds which has already ~>

taken me several days (It's late night 11pm of October 6th, 2021 now) and I don't feel good at all physically or mentally or emotionally or Spiritually! This is utter bullsh*t! --- I'll be straight up, document #46 made a Grown Man cry several times already... Unbelievable nonsense. I need Justice for me and others. I shouldn't even be around this Criminal Prison Staff who beat me so viciously! There's one working tonight that was one of the main ones who assaulted & battered me on April 5th, 2020 with serious bodily injuries (Obadina S. Omaka) and the Office of the Inspector General wants to deny me my Victims Rights! Along with so many more and with all the torture I get my Suit mishandled so badly it's insane. (But Mrs. Solomon has been alone really...)

One Attorney can't handle my Case by theirself! In fact, it will surely take a team of Lawyers & Paralegals to do this Case --- even if I participate with Mrs. Solomon somehow, it will be a nightmarish Challenge and right now it looks like a Mountain of Work...

* I need a Special Master appointed to this Suit under Rule 53 due to the severity of the situation at hand that is overwhelming to me --- I file a separate Motion for it separately if necessary.

I suggest that the "Texas Civil Rights Project" be appointed to this Suit with Attorney Solomon to overcome this adversity and bring the Justice that needs to be brought as a team... I've already had Affidavits in both of their possessions where they can communicate and share any/all info with each other in my behalf for several months going back... (I file a separate Motion for that too). Please remember that Mrs. Solomon has been Pro Bono and mostly alone this whole time. I am trying to gather resources for us but have faced immense frustration so far which I'd like to explain but I'm exhausted right now and I'm worried about the 14 day time limit although I'm sure it doesn't include weekends & holidays... Me & Solomon need help. We need help in the name of Justice & Mercy. This shit has me seriously ill in my mind. I'm having very bad thoughts --- I keep thinking these Prison Officials & Staff are going to take advantage of the situation and attack me again. I'm gonna fight them if I have to. I'm not getting beat again for free! I'm already injured damn it! This is so sad it kills my Soul but I'm struggling to stay strong under oppression. I don't feel good at all...

#14) Jamadre L. Enge and Barbara A. Neal are/were most definitely personally involved in the events of February 13th, 2018 and beyond where they literally committed Theft of a whole bunch of my personal & medical property along with Religious Items too! They are lying their asses off trying to say they're not personally involved! And Jamadre J. Enge who was a Captain at the time, also made on duty Staff not feed me my lunch food which led to the violence against me with illegal/excessive Use Of Force that He also participated in personally being the one to spray me excessively with chemical agents (I just stopped writing this and went into a rage having a overpowering Flashback of these extremely negative events for about 20+ minutes or so straight before getting control again and my heart is still pounding and I'm trembling all over--- I hate them all! They are sick people! Hateful people! They made me worse than I ever was before and this torture amplifies it more & more.) back to back repeatedly like as if I was a cockroach getting sprayed with "Raid"! And the whole time, in the Mental Health Therapeutic Diversion Program that's being funded by the Government, They were never even supposed to use any force on me at all! They were supposed to get qualified medical personnel/psychiatrists to come and try to diffuse the situation but there would have never even been a situation if Jamadre L. Enge & Barbara A. Neal didn't go stealing my property in a large bundle in sheet and a full chain bag that I never saw again! And they also lied about there being a fire before that and if I'm lying, then lets see the Video Tape! Wheres the Video evidence of this supposed fire? And I did ask for all Video Evidence to be saved for litigation purposes. Enough said! I'll be glad to submit to Polygraph Test if feasible or necessary for the Court, just please remember I'm injured right now...

#15) OK, obviously simple evidence needs to be produced to prove whether Everett Von Moore is authorized by Lower Court to serve Defendants and apparently "Exhibit A" got misplaced in the shuffle and surely it can be produced but what gets me in the process server's affidavit is several very important facts that stand out that definitely need to be reviewed in De novo such as:

d) Prison Officials & Staff rejecting service of summons & Complaint upon Defendants at Huntsville, Texas and Michael Unit is definitely a major part of the Conspiracy Against My: Petition, Access To Courts,

and Due Process Rights and also is increasing my punishment above and far beyond what the State Court sentenced me to on December 2nd, 2005 and it is aggravating the hell out of my mental illness while leaving me in actual danger of further ongoing injustice...

b) There is no-one named Warden Smith at Michael Unit so the Process Server was straight up lied to by Prison Officials & Staff! The only person I know of that is an Employee here on Michael Unit (Here it is 3:44pm of 10-7-2021 and for about 30+ minutes sewer-water has been coming out of drains for unknown reasons going on the run and into our cells here on 12 Building D-bld F-Section 1-Row and its ongoing madness that stinks real bad to where I got tears in my eyes---- its on video too so anyways, Im in a derelict modhouse of inhumanity while Im trying to do a legal Document and that/this sewer-water is only a scratch on the surface of the everyday insanity...) with the last name Smith, is: Shekina N. Smith who is the Law Library Supervisor and a Barrington B. Smith who is or was a COX on the roster but theres no Warden Smith anywhere on Michael Unit at all!

c) Since these Prison Officials & Staff are retaliating & conspiring against my Petition, Access To Courts, and Due Process Rights along with my Major Life Activities; I ask the Court to intervene and have the Clerk for this Federal Court to get or the Court to get a Marshall or Deputy Marshall to serve the Defendants properly that are already listed along with the ones I need to add that should've already been listed; according to Rule 4(c)(3)...

#16) Its interesting and pitifully sad how these Defendants Keep trying to use State Law to undermine the Service of Process in contradiction of Federal Law as I mentioned in my Fact/Ground #10 earlier... We are not in a State Court; we are in a Federal Court where obviously the Federal Law supercedes State Law directly and although State Law can expand upon Civil Rights or Procedures & Rules of Court in a positive fashion; they may not infringe upon any Constitutional Rights that are guaranteed under the United States Constitution/United States Code/Acts of Congress/etc. --- Federal Law supercedes State Law! The "Supremacy Clause" of Article VI of the US Constitution points this out very clearly with no loop holes...

#17) These Circumstances where I have been basically left out of my 2 →

Own Suit (for whatever reason) is not a usual event at all --- in fact, it is a situation I have never seen anywhere in any Court Decisions I have ever read and that's serious as hell because I read a lot of Cases both published & not published. I need help badly and so does my Attorney Mrs. Tanika J. Solomon in this extraordinary Challenge which is supposed to be a massive Totality of Conditions Challenge with Section 1983 and The Americans with Disabilities Act and if possible; the "Conspiracy Act" also...

I ask The Court to Appoint the "Texas Civil Rights Project" to this Case/Suit with Mrs. Solomon (who has been representing me Pro Bono) and no, I do not have enough money at this time to pay Attorney Fees & Expenses but if that changes I will let it be known immediately. I make this request in the name of Justice and due to these extremely extraordinary circumstances at hand that I have never seen or heard of and really wonder if the Court has either? There is definitely good cause for serious Reconsideration here...

I would/will also argue or debate that the torture that I'm going thru in this Prison Industrial Complex along with others that Attorney Tanika J. Solomon is aware of and trying to help, is definitely worth reconsidering since it all surely is an enormous amount of stress upon one good person to handle and is enough to make tears in my eyes just thinking about it! There is so much injustice in here it's insane and along with COVID-19 on the loose everywhere --- hell, prisons are a breeding ground for COVID-19. I can rationally imagine that all this adversely affects someones' psychology very badly trying to help people in terrible torturous circumstances (it's 5:57pm 10-7-2021 and the sewer water is still going strong flowing steadily out of drains onto the run and into our cells smelling so bad I've got a growing headache and everyone right around me is suffering so bad it's insane and the staff are extremely understaffed and after several hours of sewer still no plumbers or maintenance showing up --- Incarcerated persons yelling for help but there is no help. My entire right arm from hand to shoulder is in throbbing pain and so is my back and right foot/ankle and right knee --- it's crazy...) 6:14pm 10-7-2021

#18) This inhuman place makes Human Monsters... It's going 2

to take people who are very serious about dismantling systems of oppression to stop this system of racial injustice once and for all! A system that still uses slavery and involuntary servitude which is an evil custom that have long ago should've been thrown into the landfill of history! Racism is worse than COVID-19 and in fact makes it even worse for people of color! I'm right here in the Prison Industrial Complex and have long witnessed & experienced the massive institutionalized corruption it spews forth vehemently non-stop that especially against people of color...

I'm a white man and Caucasians are the minority in prisons in Texas and across the USA but the general population of this country is majority white so I ask? "How is this so?" How does it make any sense when held under the full light of reason? --- It doesn't... The white man has designed a system of racial injustice and here I find myself within it and I find out that it is evil and this evil breeds evil and makes it worse & worse!

This place is so understaffed it's insane! For over 3 1/2 months to 3 months I've been denied access to medical care period! I had to wrestle hard to get my vaccine for COVID-19 after being refused it without my consent here on Michael Unit (but they say I verbally refused without any documentation.) So that stopped me from going on Medical Transport several times because I was trying to avoid COVID-19 because the last few times I went on Transport to Hospital Galveston thru Estelle Unit I got sick and the Medical Department refuses to test me for it when I complained of symptoms! I've been trying to get my medical passes renewed for my cane/knee support and no call behind back - since July 2021 now and keep being denied by Pam Pace - Practice Manager, Doctor Paul Shrade, and Provider Rosemary O'Neil for no good reason at all but retaliation and the same goes for strong pain meds --- denied! And since I finally got my vaccine shots for COVID-19 I'm ready for all my medical appointments to be rescheduled but I'm literally being denied access to medical but I witness others around me going to medical non-stop over the months while I'm skipped endlessly...

(The Sewer Water is still going and it's now 9:23 pm 10-7-2021 --- a Maintenance Officer & Inmate came at about 6:46 pm and said they had to get a big snake & machine and come back --- they ~

left and never came back---the on duty Officer for J-Block later told us that the Maintenance Officer told Rank they couldn't fix the problem and left with no intentions of coming back at all! It's insane! --- 10:05pm 10-7-2021) Sewer-water in our cells over 7 Hours...

#19) Every Grievance I filed from February 13th, 2018 up til now & ongoing; Grievance Investigators (which include Wardens/Practize Managers over Medical/Regional Directors/Unit Grievance Investigators/Central Grievance Officers/etc.) violated all of them! They all violated my Protected Conduct of Filing Grievances in a major conspiracy against my rights to Obstruct Justice with a very serious Campaign of Harassment & Retaliation against my Petition, Access To Courts, and Due Process Rights that is ongoing!

I can't imagine theres a single Attorney thats even seen or heard of a Complaint like mine if it is brought properly and I also can't honestly see how one Attorney could do it alone or with very little help... I'm willing to participate as best as I can but I'm literally in a hellhole and I'm suffering greatly... (After fire and much rucus, we got maintenance to finally come back at almost 11pm and after they fixed the problem it took all the way til 12:30am 10-8-2021 to clean up the mess and the air still stinks badly... I'm wore out from trying to clean up and my injuries are aggravated.) I'm trying to gather resources for me & Solomon and I won't give up as long as I can help it...

(I'm wondering if there was COVID-19 in the sewer water... a bunch of us had to clean it up with our bare hands...) Anyways, I don't mean to ramble on so much; it's just so much over-whelming ignorance at one time--everyday in here is already pure misery...

#20) I need copies of everything from every Docket# so I know exactly whats really going on in graphic detail and can possible figure out what do next instead of guessing without proper knowledge like I should have had all along but have not. Please make sure I get this information...

*** In Conclusion, this Lawsuit is supposed to be and actually much worse than the facts reveal so far because it was not done up to its full potential which is very difficult and extremely time consuming along with overwhelming with the evil that has been

done to me & many others that is revealed throughout my stack of complaints in Attorney Solomons possession and there is indeed a branch of very serious evidence to back my complaints up such as 8 witnesses/ documentary evidence/ Sworn Affidavits/ Video evidence/ medical records/ Grievance File/ OIG investigation File/ physical evidence/ etc. (and psyche File of course) and then more evidence will be found in Discovery in my favor including Physical & Mental Examinations under Rule 35 which definitely needs to be done under the Supervision of the Court because these Prison Officials & Staff are corrupt beyond belief --- sad but true...

I Know my Attorney has made mistakes under massive pressure although some of what I saw in document #46 can be overcome with the facts I have shared in this document that were not revealed in the past of this Suit as far as I know and I'm sure this Suit can be brought properly but I'm gonna need serious help and I'm not sure what Mrs. Solomon wants to do at this point but I need to be involved obviously so I surely need a Special Master appointed by the Court in the name of Justice to make it where I can have a fair chance to actually reach Justice for me & others... I ask for the mercy of the Court in these very incredible & extraordinary circumstances and please have mercy on Mrs. Taniko J. Solomon who has been trying to basically fight for Justice single handedly (Her Law Clerk is well past retirement age and he is involved in these mistakes too but I don't have enough info to point out exactly where yet.) Also, please give me time to figure things out properly so I can try to fix any problems as best as I can. Please do not dismiss any Defendants or any of my Claims but instead give me help and give me a chance to have the Justice I deserve. Thank you for your time & effort in my behalf and in the behalf of true Justice...

Respectfully,

*PS ~ I need Original back or copies of this ~ whichever is appropriate!

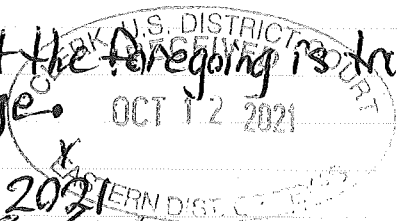
"I declare under penalty of perjury that the foregoing is true and correct to the very best of my knowledge."

Executed On: 10-8-2021

Jamon Nathaniel Hestand
Jamon Nathaniel Hestand

SSN: 450-83-6774 / Born: 4-27-1981

*TDCJ-CID# 1343536 "



*Current Address: Michael Unit #2664 FM 2054, Tennessee Colony, TX 75886 USA